

Notice of Allowability

Application No.

10/615,130

Examiner

Robert J. McCarry, Jr.

Applicant(s)

ZANDER, DENNIS R.

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3617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 04/07/06.
2. ☒ The allowed claim(s) is/are 10-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Stephen Salai on April 24, 2006.

The purpose of the interview was to clarify the claim dependencies of claims 17-27, filed 04/07/06 as shown below.

The application has been amended as follows:

Claim 18, line 1; the number "20" has been changed to --17--.

Claim 19, line 1; the number "21" has been changed to --18--.

Claim 20, line 1; the number "21" has been changed to --18--.

Claim 21, line 1; the number "20" has been changed to --17--.

Claim 22, line 1; the number "20" has been changed to --17--.

Claim 23, line 1; the number "25" has been changed to --22--.

Claim 24, line 1; the number "26" has been changed to --23--.

Claim 25, line 1; the number "27" has been changed to --24--.

Claim 26, line 1; the number "28" has been changed to --25--.

Claim 27, line 1; the number "29" has been changed to --26--.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: applicant recites a model train sensor and light detector. The system is comprised of a pair of colored signals that signal whether a section of track is open for passage or occupied by a model train. A train proximity detector includes a light source and a light detector. The light source and light detector are arranged so that the detector will detect the light from the source only when reflected from an object, that being an oncoming model train. A controller is connected to the proximity sensor and the controller illuminates and turns off respective red and green lights to show that the track is either open for passage or occupied based on the information received from the proximity detector.

Applicant also recites a pair of transistor switches connected with the proximity sensor. The first transistor switch operates the green signal, signifying that the track is clear for passage. The second transistor switch has an input connected to the proximity sensor and an output connected to the red signal and to the input of the first transistor switch. This connection operates the red signal, signifying an occupied track and applies an off signal to the first transistor. The first transistor is always in the on position unless signaled by the second transistor.

The prior art made of reference, taken singularly or in combination, does not adequately disclose the features recited in the instant claims. Specifically, the prior art does not show a controller and signals in operation with a proximity sensor using a light source and light detector. The prior art also does not disclose the specific wiring of the

second transistor with the proximity sensor and the first sensor and does not specifically state that the first transistor is always in an on position unless otherwise signaled.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. McCarry, Jr. whose telephone number is (571) 272-6683. The examiner can normally be reached on Monday through Friday 7:00am to 3:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, S. Joseph Morano can be reached on (571) 272-6684. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Robert J. McCarry, Jr.
Examiner
Art Unit 3617

RJM
April 24, 2006


S. JOSEPH MORANO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER